

REMARKS

This application has been reviewed in light of the Office Action dated July 14, 2004. Claims 1-6 and 12 are presented for examination, of which Claims 1 and 6 are in independent form. Claims 1, 3 and 6 have been amended to define still more clearly what Applicant regards as his invention. Claims 14-17 have been canceled without prejudice or disclaimer of subject matter, and will not be mentioned further. Favorable reconsideration is requested.

Claims 1-6 and 12 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 5,216,517 (Kinoshita et al.) in view of U.S. Patent 5,661,568 (Ueno).

Independent Claim 1 is directed to a communication apparatus adapted to execute a plurality of kinds of facsimile protocols. The apparatus of Claim 1 comprises a call signal detector circuit adapted to detect a call signal from a communication line. An ID detector circuit detects ID information for identifying a calling station from the communication line before the start of communication with the calling station, when the call signal detector circuit has detected the call signal from the communication line. A memory is provided to store ID information for identifying a calling station, and facsimile protocol information for indicating a facsimile protocol used for communication with that calling station, in correspondence with each other, and a determination circuit determines whether a predetermined time period has elapsed after the storage of facsimile protocol information corresponding to the ID information detected by the ID detector circuit, into the memory. Also provided in the apparatus is a control circuit that performs communication based on the facsimile protocol information stored in the memory in correspondence with the ID information detected by the ID detector circuit, or communication for deciding a facsimile protocol for the calling station, in accordance with

the result of determination by the determination circuit, so as to discriminate the facsimile protocol of the calling station, and to perform communication based on the facsimile protocol according to a result of the discrimination and to restore the facsimile protocol information according to that result of the discrimination, in correspondence with the detected ID information.

Thus, among other important features of an apparatus according to Claim 1 are:

(1) A determination is made as to whether a predetermined time period has elapsed after the storage of facsimile protocol information corresponding to ID information detected by a ID detector circuit, into memory,

(2) then, in accordance with the result of determination, communication is performed, based on the facsimile protocol information stored in the memory in correspondence with the ID information detected by the ID detector circuit, or communication for deciding of a facsimile protocol discriminate for the calling station, so as to discriminate the facsimile protocol of the calling station; and

(3) then, the communication based on the facsimile protocol according to a result of the discrimination is performed, and the facsimile protocol information according to the result of the discrimination in correspondence with the ID information detected by the ID detector circuit, is restored.

To begin with, Applicant strongly urges that nothing in *Kinoshita* or *Ueno* (or, for that matter, *Sawada* or *Kawaguchi*) discloses or suggests feature (1) described above. In addition, it is Applicant's view that features (2) and (3) are equally absent from

those documents, which, even if taken in the proposed combination do not even hint at such processing, or at structure for performing such processing. For these reasons, Applicant strongly believes that Claim 1 is allowable over any possible combination of these four documents (assuming any such combination would even be a permissible one).

Independent Claim 6 is a method claim corresponding to apparatus Claim 1, and is deemed allowable over the documents identified above for at least the reasons discussed with regard to Claim 1.

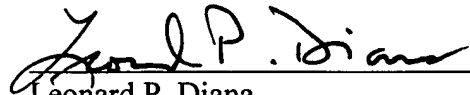
The other rejected claims in this application depend from Claim 1, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Leonard P. Diana", written over a horizontal line.

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